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December 10, 2021

VIA CM-ECF

Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street, Chamber 1350
New York, NY 10007

12/14/2021
The report is ~~not~~ sealed
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RE: *In re: Zimmer M/L Taper Hip Prosthesis or M/L Taper Hip Prosthesis with
Kinectiv Technology and VerSys Femoral Head Products Liability Litigation*
Case Numbers: 18-cv-10649; 18-MD-2859 (PAC); 18-MC-2859 (PAC)

Dear Judge Crotty:

In connection with Plaintiffs' response in opposition to Zimmer's motion for summary judgment, Plaintiffs intend to attach as exhibits two documents without prior sealing orders which Zimmer has designated confidential. Plaintiffs respectfully request permission to file under seal copies of the following filings:

- Exhibit F - excerpts of the Deposition Transcript of Odile Popoola dated October 2, 2020.
- Exhibit Y - excerpts of the Deposition Transcript of Justin Hertzler dated September 15, 2020.

Plaintiffs are unable to discern the bases for Zimmer's assertions of confidentiality, but are requesting to file the exhibits under seal under the assumption the confidentiality designations were made in good faith. The parties making the designations are better positioned than Plaintiffs to explain their confidentiality designations, if the Court has any questions about the bases for them. The chamber's copy electronically mailed to the Court will include copies of the foregoing exhibits.

Respectfully submitted,

/s/Kelly K. McNabb
Kelly K. McNabb
On behalf of the Plaintiffs' Executive Committee

cc: Counsel of Record
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